

U.S. Department of Labor

Board of Contract Appeals
1111 20th Street, N.W.
Washington, D.C. 20036



DATED: May 8, 1986

Case No. 85-BCA-27

Appeal of

OFIELD DUKES

Contract No. 99-0-1211-43-162

ORDER OF DISMISSAL

After this appeal was filed, Appellant petitioned in Bankruptcy Case No. 85-00126 for a discharge of claims against him, including among others this claim for \$95,224 by the Department of Labor. It appears that an Order of Discharge was entered in that proceeding March 10, 1986.

We have been informed by the cognizant Assistant Solicitor of the Department of Labor that, if the alleged debt involved has been discharged, the Department would no longer pursue its claim. On the Department's motion, an Order was issued March 4, 1986 directing appellant Ofield Dukes to show cause, if he had any, by April 1, 1986, why his appeal from the Contracting Officer's demand for \$95,224 should not be dismissed as moot. We have received no response to this Order.

Accordingly, it is ORDERED, That this appeal be, and it hereby is, DISMISSED.

Samuel B. Groner
Administrative Law Judge
Member, U.S. Department of Labor
Board of Contract Appeals

Earl Thomas
Deputy Chief Judge
Vice Chairman, U.S. Department of Labor
Board of Contract Appeals

Glenn Robert Lawrence
Administrative Law Judge

Member, U.S. Department of Labor
Board of Contract Appeals